

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

HON. KEITH WATKINS JUDGE

AT MONTGOMERY, ALABAMA

DATE COMMENCED 1/8/07

AT 9:35 A.M./P.M.

DATE COMPLETED 1/9/07

AT 2:25 A.M./P.M.

UNITED STATES OF AMERICA)

)

CR. No. 3:06cr266-WKW

vs.)

)

PAUL EUGENE WEBSTER)

)

<u>PLAINTIFF(S) / GOVERNMENT</u>	<u>APPEARANCES</u>	<u>DEFENDANT(S)</u>
AUSA Tommie Hardwick	X X X X X	Atty. Jennifer Hart Atty. Don Bethel
<u>COURT OFFICIALS PRESENT:</u>		
Ann Roy Courtroom Clerk	Angela Reitler Law Clerk	Risa Entrekin Court Reporter

JURORS

- | | |
|------------------------|----------------------|
| 1. Michelle Beaty | 7. Kenneth Jerkins |
| 2. Diane Jones | 8. Louis Harris |
| 3. Brandy Cox | 9. Elizabeth Foley |
| 4. Benjamin Linschoten | 10. Kathryn Mangum |
| 5. Carol Hanks | 11. Sylvia Norton |
| 6. Jessie Jones_____ | 12. Timothy Sullivan |

ALTERNATE

13. Roy Thaxton

COURTROOM PROCEEDINGS:

JURY SELECTION/TRIAL

- 9:35 a.m. Court convened. Status conference re proposed voir dire questions.
- 9:50 a.m. Break
- 10:15 a.m. Multiple voir dire begun (Cr. Nos. 2:06cr202-WKW and **3:06cr266-WKW**). Sidebar (on the record) re Motion to Strike Juror. Oral order **denying** motion to strike juror.
- 12:30 a.m. Lunch.
- 1:15 p.m. Status conference resumes.
- 2:15 p.m. Jury selected, seated and sworn.

MINUTES

JURY TRIAL COMMENCING ON 1/8/07 BEFORE JUDGE KEITH WATKINS
CR. NO. 3:06cr266-WKW, USA vs. Paul Eugene Webster

3:35 p.m. Trial commenced. Court's instructions to the jury.
3:45 p.m. Government's opening statement (Atty. Hardwick 4 minutes)
3:49 p.m. Defendant's opening statement (Atty. Hart 6 minutes)
3:55 p.m. Government's evidence commenced. Witness rule invoked.
4:10 p.m. Sidebar (on the record) re **oral motion** for mistrial.
Oral order denying oral motion for mistrial. Renewed
oral motion for mistrial; oral order **denying** renewed motion
for mistrial. Testimony resumes.
4:45 p.m. Government rests. Jury excused. Defendant's **oral** Motion
For Judgment of Acquittal and renewed **oral motion** for
mistrial. **Oral order denying** oral motions for Judgment of
Acquittal and **Oral order denying** renewed oral motion for
mistrial.
4:50 p.m. Court in recess until 9:00 a.m. 1/9/07.

1/9/07

8:15 a.m. Court reconvened. Oral argument re justification defense.
Renewed **Oral motion** for mistrial (prosecutorial misconduct.)
Oral order denying motion for mistrial.
9:00 a.m. Break
9:10 a.m. Court reconvened. Renewed **oral motion** for mistrial. **Oral**
order denying renewed motion for mistrial.
9:15 a.m. Jury seated. Defendant's evidence commenced.
10:30 a.m. Break
10:55 a.m. Testimony resumes.
11:00 a.m. Defense rests.
11:05 a.m. Break
11:15 a.m. Trial continued (out of Jury's presence). Charge
conference. Parties' objections to charge. Changes
requested and objections noted, as stated on the record.
11:30 a.m. Jury seated; trial continued.
11:32 a.m. Government's closing argument (Atty Hardwick 13 minutes)
11:45 a.m. Defendant's closing argument (Atty. Hart 15 minutes)
12:00 p.m. Government's rebuttal argument (Atty. Hardwick 10 minutes)
12:10 p.m. Lunch
1:15 p.m. Jury seated and charged by the court.
1:25 p.m. Jury excused to begin deliberations.
2:20 p.m. Jury verdict in favor of the government.
Jury discharged; defendant to have seven days from the date
transcript is filed to submit post trial motions.
2:25 p.m. Court adjourned.

COURT'S EXHIBITS						UNITED STATES OF AMERICA v PAUL EUGENE WEBSTER 3:06cr266-WKW	
						JUDGE KEITH WATKINS Risa Entrekin, Court Reporter	
ADMITTED	DATE OFFERED	DATE IDENTIFIED	NO	WITNESS	OBJ	DESCRIPTION	
1/9/07	1/9/07	1/9/07	1	Bailey		Joint Stipulation of Felony Conviction	
						EXHIBITS MAINTAINED IN SEPARATE	
						BINDER WITH FILE	

DEFENDANT'S EXHIBITS JURY TRIAL commencing 1/8/07					UNITED STATES OF AMERICA v PAUL EUGENE WEBSTER 2:06cr266-WKW	
						JUDGE KEITH WATKINS Risa Entrekin, Court Reporter
ADMITTED	DATE OFFERED	DATE IDENTIFIED	NO	WITNESS	OBJ	DESCRIPTION
Yes	1/9/07	1/9/07	1	Carmichael		Photograph - Bailey's trailer
	1/9/07	1/9/07	2			Photograph - Bailey's trailer
Yes	1/9/07	1/9/07	3	Carmichael		Photograph - front of Bailey residence
	1/9/07	1/9/07	4			Photograph - Bailey's trailer
	1/9/07	1/9/07	5			Photograph - Left pan around photo #4
	1/9/07	1/9/07	6			Photograph - woods
	1/9/07	1/9/07	7			Photograph - view of woods from residence
	1/9/07	1/9/07	8			Photograph - view of woods from residence
	1/9/07	1/9/07	9			Photograph - view of woods from residence
	1/9/07	1/9/07	10			Photograph - view of woods from residence
	1/9/07	1/9/07	11			Photograph -view across fence
	1/9/07	1/9/07	12			Photograph - vacant trailer next to residence
	1/9/07	1/9/07	13			Photograph - woods from Bailey's residence
	1/9/07	1/9/07	14			Photograph - Bailey's trailer
	1/9/07	1/9/07	15			Photograph - wooded area across from residence
	1/9/07	1/9/07	16			Photograph - view of road
	1/9/07	1/9/07	17			Photograph - view Bailey's trailer from road
	1/9/07	1/9/07	18			Photograph - view of end of vacant trailer
	1/9/07	1/9/07	19			Photograph - full view of vacant trailer
	1/9/07	1/9/07	20			Photograph - yard around vacant trailer
	1/9/07	1/9/07	21			Photograph - view from curve - driveway

	1/9/07	1/9/07	22			Photograph - end of Dennison house from corner
Yes	1/9/07	1/9/07	23	Carmichael		Photograph - Betty Hornsby's trailer
Yes	1/9/07	1/9/07	24	Carmichael		Photograph - mail box of Hornsby home
	1/9/07	1/9/07	25			Photograph - close up of mailbox
	1/9/07	1/9/07	26			Photograph - proximity of Bailey's trailer to mother and sister's trailer
Yes	1/9/07	1/9/07	27	Carmichael		Photograph - photo of firearm
Yes	1/9/07	1/9/07	28	Carmichael		Photograph - photo of firearm
Yes	1/9/07	1/9/07	29	Carmichael		Photograph - outdoor sheds
Yes	1/9/07	1/9/07	30	Carmichael		Photograph - door to shed
						EXHIBITS MAINTAINED IN SEPARATE
						BINDER WITH FILE

Jury Trial commencing 1/8/07

Paul Eugene Webster
3:06cr266-WKW

JUDGE KEITH WATKINS
Risa Entrekina, Court Reporter

Exhibit #1 returned to counsel for Government at the conclusion of trial.

Date _____

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

USA v. Paul Eugene Webster

CR. No. 3:06cr266-WKW

Trial Date January 8, 2007

GOVERNMENT

DEFENDANT

WITNESS LIST

1. Keith Jordan _____

4. Betty Hornsby _____

2. Charles Bailey _____

5. Danny Carmichael _____

3. Theron Jackson _____
